

R E M A R K S

This is in response to the Office Action that was mailed on September 20, 2004. The specification is amended to correct a typographical error. Non-elected claims 33-36 and 39 are cancelled, without prejudice to their reassertion in this or a continuing application. All of the independent claims herein now expressly requires that the compositions claimed contain a free-flow enhancing agent and that said compositions have an adhesiveness, measured by the collet adhesion test, of greater than 85%. These features are fully discussed in the specification, and can be found also e.g. in original claims 5 and 24. Formal amendments are made to various claims in order to address the issues raised by the Examiner under 35 U.S.C. §112. Claim 27 is recast in independent form. New claims 41-49 are derived from original claims 6, 7, 8, 8, 14, 15, 25, 25, and 30, respectively. No new matter is introduced by this Amendment. Claims 1-32, 37, and 41-49 are pending in the application.

Claims 1-32, 37, 38, and 40 were rejected under the second paragraph of 35 U.S.C. §112 as failing to define the invention properly. The Examiner questioned the definitions of d[0.5] values in the claims, and their relationship to the first paragraph on page 5 of the specification. A typographical error in that paragraph has been corrected. It is believed that the

corrected descriptions avoid the confusion noted by the Examiner in the definitions of the d[0.5] values in the claims. The parenthetical phrases have been removed from claim 8. The "such as" expressions have been removed from claims 6 and 30. The "for example" expressions have been removed from claims 7, 8, 24, and 25. Claim 15 has been amended to clarify its scope. The "e.g." expressions have been removed from claims 3, 14, and 25. The term "substantially" has been removed from claim 23. The term "preferably" has been removed from claim 25. The erroneous "ad" has been corrected to "and" in claim 26. Omnibus claims 38 and 40 have been cancelled. It is respectfully submitted that the claims in their present form satisfy the requirements of the statute.

Claims 1-4, 7-25, 27, 28, 31, 32, 37, 38, and 40 were rejected under 35 U.S.C. §102(b) as being anticipated by EP 0518507 A1 (PAULS plc). The Examiner recognized that, as pointed out in lines 17-22 on page 2 of the specification, the PAULS disclosure teaches away from the use of free-flow agents. All of the presently claimed compositions include free-flow agents. Accordingly, none of the presently claimed compositions is anticipated by the PAULS disclosure.

Claims 1-5, 7-29, 31, 32, 37, 38, and 40 were rejected under 35 U.S.C. §102(b) as being anticipated by US 4,375,483 (Shuford).

As pointed out in lines 4-7 on page 2 of the specification, the combination of salt and lecithin is stated as providing a synergistic improvement of the anti-stick properties of the fat compositions in Shuford. Thus the Shuford disclosure teaches away from adhesion. All of the presently claimed compositions have an adhesiveness, measured by the collet adhesion test described in the specification, of greater than 85%. Accordingly, none of the presently claimed compositions is anticipated by the Shuford disclosure.

Claims 6 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shuford in view of US 4,612,204 (Huffman). As discussed above, the Shuford disclosure teaches away from adhesion, and all of the presently claimed compositions have an adhesiveness, measured by the collet adhesion test described in the specification, of greater than 85%. Huffman fails to overcome this deficiency of the primary reference. Accordingly, none of the presently claimed compositions is rendered obvious by the combination of the Shuford and Huffman disclosures.

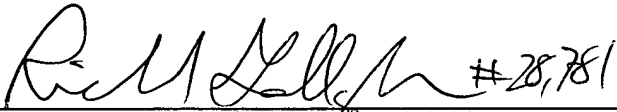
If the Examiner has any questions concerning this application, he is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

Serial No. 10/030,966

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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